

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

WILLIAM J. HERMAN,

Plaintiff,

v.

Case No. 20-cv-749-pp

MCJ MEDICAL STAFF, *et al.*,

Defendants.

**ORDER DISMISSING CASE WITHOUT PREJUDICE FOR FAILURE TO PAY
INITIAL PARTIAL FILING FEE**

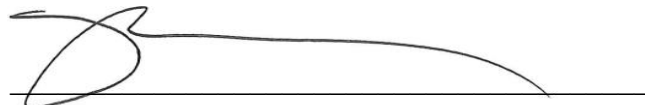
The plaintiff, William J. Herman, is representing himself. He filed a complaint, dkt. no. 1, along with a motion for leave to proceed without prepaying the filing fee, dkt. no. 2. On June 8, 2020, the court ordered that by June 29, 2020, the plaintiff must forward to the Clerk of Court \$11.33 as an initial partial filing fee. Dkt. No. 6. The court advised the plaintiff that once it received this fee, it would determine whether he could proceed without prepaying the entire filing fee. On June 22, 2020, the court received a letter from the plaintiff, stating that he “will make necessary payments when I have income.” Dkt. No. 7. The court construed this as a motion to waive payment of the initial partial filing fee and denied the motion, finding that the plaintiff’s certified trust account statement showed he had the income to pay the initial partial filing fee. Dkt. No. 8 at 3.

The court stated, however, that it would give the plaintiff one more chance to pay the initial partial filing fee and gave him a deadline of August 31, 2020 by which to do so. Id. The court told the plaintiff that if it didn't receive the initial partial filing fee by that date, the court would dismiss the case without prejudice. Id. The August 31, 2020 deadline has long passed and the court has not received the fee.

The court **ORDERS** that this case is **DISMISSED WITHOUT PREJUDICE** based on the plaintiff's failure to pay the initial partial filing fee. Because the dismissal is without prejudice, the plaintiff may refile his complaint later, subject to the relevant statute of limitations.

Dated in Milwaukee, Wisconsin this 13th day of October, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Court Judge